

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CRIMINAL NO 23-12(3) (SRN/ECW)

UNITED STATES OF AMERICA,)
Plaintiff)
v.)
VENUS MILDRED MARQUEZ-MELENDEZ)
Defendant.)
MOTION TO SUPPRESS
STATEMENTS

Venus Mildred Marquez-Melendez, by her undersigned counsel, moves the Court for an Order suppressing the following statements she made to police:

A. to Rochester Police Department Officer Jake Matz on September 22, 2022, shortly following the investigatory stop/arrest.

B. All other statements that Ms. Marquez-Melendez made to law

The results of this section are summarized in Table 11.

1. Ms. Marquez-Melendez's statement was the fruit of an illegal investigatory stop (See Motion to Suppress Evidence Obtained as a Result of Search and Seizure, ECF No. 48). As a result, her statements should be suppressed pursuant to *Wong Sun v. United States*, 371 U.S. 471, 488, 83 S.Ct. 407 (1963).

2. Ms. Marquez-Melendez's statement was the result of custodial interrogation but was not preceded by a full advisory of rights. *See United States v. Griffin*, 922 F.2d 1343 (8th Cir. 1990).

3. Ms. Marquez-Melendez's statement was not voluntary. *See Mincey v. Arizona*, 437 U.S. 385 (1978).

This motion is based upon evidence to be adduced at the Motions Hearing and such argument and authorities as will be submitted thereafter.

JOHNSON & GREENBERG, PLLP

Dated: March 9, 2023

s/Lee R. Johnson

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